

## CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To: Agency(ies) Charge No(s):

☐ FEPA☒ EEOC

450-2022-06386

State or local Agency, if any

Name (indicate Mr., Ms., Mrs.)

Harold Alonzo Gamble Jr. alonzogamble@msn.com

Home Phone (Incl. Area Code)

(404) 236-9037

Date of Birth

6/17/1963

Street Address

170 Southmoor Circle

City, State and ZIP Code

Stockbridge, Georgia 30281

Street Address

c/o George Triantis, Morgan and Morgan, P.A.

City, State and ZIP Code

One Tampa City Center, 201 N. Franklin Street, Suite 700, Tampa FL 33602

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

Pride Truck Sales LP

No. Employees, Members

Phone No (Include Area Code)

1 (888) 408-9305

Street Address

34880 Lyndon B Johnson Fwy,

City, State and ZIP Code

Dallas, TX 75241-7200

DISCRIMINATION BASED ON (Check appropriate box(es).)

☒ RACE ☒ COLOR ☐ SEX ☐ RELIGION ☐ NATIONAL ORIGIN  
☒ RETALIATION ☐ AGE ☒ DISABILITY ☐ OTHER

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

April 1, 2022

May 16, 2022



CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)).

**I: PERSONAL HARM:** My name is Harold Alonzo Gamble Jr. I am an African American male. I worked for the Company at their 4895 Old National Hwy, Atlanta, GA 30337 location. I was hired by the Company on or around December 28, 2021. I was employed as a Sales Representative until I was unlawfully terminated because of my disabilities/perceived disabilities/medical conditions, race, and color of my skin on May 16, 2022. In or around April, 2022, I was diagnosed with Glaucoma. Immediately, I informed Mr. Brian McFarland (General Manager) of my diagnosis. Shortly thereafter, I was terminated for a bogus reason.

At all relevant times, my employer was aware of my disabilities/perceived disabilities/medical conditions. On May 16, 2022, my employment was unlawfully terminated. At all relevant times, I was able, capable, and ready to perform the essential functions of my job with or without reasonable accommodations. Additionally, I was subjected to different terms and conditions of employment compared to other non-disabled (Caucasian) employees (comparators). Prior to disclosing my medical condition, I had never been subject to any disciplinary action and/or write-ups. At all relevant times, I had never been subject to any unfavorable performance reviews. In fact, I was a top salesperson with the Company at my location. Upon information and belief, I was replaced by a Caucasian male.

**II: RESPONDENT'S REASON FOR ADVERSE ACTION:** I feel I was pushed out because of my disabilities/medical conditions, race, and color of my skin. To the extent it was necessary, my employer refused to engage in the "interactive process" with me to determine whether any accommodation were necessary, would create an "undue hardship," or to explore alternatives. The employer's asserted reason for termination is pre-text for discrimination and retaliation as described above. The employer terminated me because they were going to "try something different."

**III: STATEMENT OF DISCRIMINATION:** I have been discriminated against because of my race (African American) and skin color (black), in violation of Title VII of the Civil Rights Act of 1964 as amended and discriminated and retaliated against on the basis of my disabilities or perceived disabilities in violation of the Americans with Disabilities Act, as amended ("ADAAA").

I want this charge filed with both the EEOC and the State or local Agency, if any. I

NOTARY – When necessary for State and Local Agency Requirements

will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

*Harold A. Gamble Jr.*

EEOC DALLAS DISTRICT OFFICE

RECEIVED 07/14/2022

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

*Harold A. Gamble Jr.*

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE  
(month, day, year) 07/08/2022

Harold Alonzo Gamble Jr.  
DRIVER LICENSE

Florida  
Broward  
Jurat



KERRIAN C ROBERTSON  
Notary Public - State of Florida

Commission # HH76461  
Expires on February 20, 2025

*Kerrian C Robertson*

Kerrian C Robertson

Notarized online using audio-video communication

EEOC DALLAS DISTRICT OFFICE

RECEIVED 07/14/2022  
**PRIVACY ACT STATEMENT:** Under the Privacy Act of 1974, Pub. Law 93-579, authority to request personal data and its uses are:

1. **FORM NUMBER/TITLE/DATE.** EEOC Form 5, Charge of Discrimination (5/01).
2. **AUTHORITY.** 42 U.S.C. 2000e-5(b), 29 U.S.C. 211, 29 U.S.C. 626, 42 U.S.C. 12117.
3. **PRINCIPAL PURPOSES.** The purposes of a charge, taken on this form or otherwise reduced to writing (whether later recorded on this form or not) are, as applicable under the EEOC anti-discrimination statutes (EEOC statutes), to preserve private suit rights under the EEOC statutes, to invoke the EEOC's jurisdiction and, where dual-filing or referral arrangements exist, to begin state or local proceedings.
4. **ROUTINE USES.** This form is used to provide facts that may establish the existence of matters covered by the EEOC statutes (and as applicable, other federal, state or local laws). Information given will be used by staff to guide its mediation and investigation efforts and, as applicable, to determine, conciliate and litigate claims of unlawful discrimination. This form may be presented to or disclosed to other federal, state or local agencies as appropriate or necessary in carrying out EEOC's functions. A copy of this charge will ordinarily be sent to the respondent organization against which the charge is made.
5. **WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION.** Charges must be reduced to writing and should identify the charging and responding parties and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII or the ADA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

**NOTICE OF RIGHT TO REQUEST SUBSTANTIAL WEIGHT REVIEW**

Charges filed at a state or local Fair Employment Practices Agency (FEPA) that dual-files charges with EEOC will ordinarily be handled first by the FEPA. Some charges filed at EEOC may also be first handled by a FEPA under worksharing agreements. You will be told which agency will handle your charge. When the FEPA is the first to handle the charge, it will notify you of its final resolution of the matter. Then, if you wish EEOC to give Substantial Weight Review to the FEPA's final findings, you must ask us in writing to do so within 15 days of your receipt of its findings. Otherwise, we will ordinarily adopt the FEPA's finding and close our file on the charge.

**NOTICE OF NON-RETALIATION REQUIREMENTS**

Please **notify** EEOC or the state or local agency where you filed your charge **if retaliation is taken against you or others** who oppose discrimination or cooperate in any investigation or lawsuit concerning this charge. Under Section 704(a) of Title VII, Section 4(d) of the ADEA, and Section 503(a) of the ADA, it is unlawful for an *employer* to discriminate against present or former employees or job applicants, for an *employment agency* to discriminate against anyone, or for a *union* to discriminate against its members or membership applicants, because they have opposed any practice made unlawful by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the laws. The Equal Pay Act has similar provisions and Section 503(b) of the ADA prohibits coercion, intimidation, threats or interference with anyone for exercising or enjoying, or aiding or encouraging others in their exercise or enjoyment of, rights under the Act.